

IFW

Docket No. 288727US0PCT



MAIL STOP PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hiroshi HANAGATA, et al.

SERIAL NO: 10/578,781

GAU:

FILED: May 9, 2006

EXAMINER:

FOR: NOVEL BREVIBACILLUS CHOSHINENSIS AND PROCESS FOR PRODUCING PROTEIN WITH USE OF THE MICROBE AS HOST

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

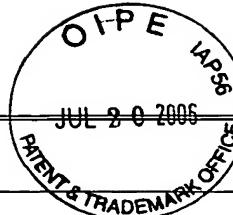
\_\_\_\_\_  
Norman F. Oblon  
Registration No. 24,618

Customer Number

22850

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)

Surinder Sachar  
Registration No. 34,423



SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. 288727US0PCT	SERIAL NO. 10/578,781
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT	Hiroshi HANAGATA, et al.	
		FILING DATE	GROUP	
		May 9, 2006		

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION
					YES      NO
	AO	60-58074	04/04/85	JP (with English abstract)	
	AP	63-56277	03/10/88	JP (with English abstract & equivalent of US 4 946 789)	
	AQ	6-296485	10/25/94	JP (with English abstract)	
	AR	6-133782	05/17/94	JP (with English abstract)	
	AS	10-295378	11/10/98	JP (with English abstract)	
	AT	2000-279179	10/10/00	JP (with English abstract)	
	AU				

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

AV	SHIDA, Osamu et al., "Proposal for Two New Genera, Brevibacillus gen. nov. and Aneurinibacillus gen. nov.", International Journal of Systematic Bacteriology, Vol. 46, No. 4, Pages 939-946, 1996.	
AW	EBISU, Shogo et al., "The Efficient Production of Human Epidermal Growth Factor by Bacillus brevis", Annals New York Academy of Sciences, Vol. 782, Pages 115-122, 1996.	
AX	HARTLEY, James L. et al., "Nucleotide sequence of the yeast plasmid", Vol. 286, Pages 860-865, 1980.	
AY	HOANG, Tung T. et al., "A broad-host-range Flp FRT recombination system for site-specific excision of chromosomally-located DNA sequences: application for isolation of unmarked Pseudomonas aeruginosa mutants", Gene, Vol. 212, Pages 77-86, 1998.	
AZ	SHIGA, Yasuhiro et al., "Characterization of an Extracellular Protease Inhibitor of Bacillus brevis HPD31 and Nucleotide Sequence of the Corresponding Gene", Applied Environmental Microbiology, Vol. 58, No. 2, Pages 525-531, 1992.	<input type="checkbox"/> Additional References sheet(s) attached
Examiner	Date Considered	

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U.S. PCT Application Serial No: 10/578,781

Filed: May 9, 2006

Hiroshi HANAGATA, et al.

Docket No. 288727 US



#### STATEMENT OF RELEVANCY

- 1) References have been cited in the International Search Report. A copy of these references is being submitted herewith.
- 2) References have been cited in the corresponding Search Report. A copy of these references is being submitted herewith.
- 3) References AO - AT & AV - AZ are discussed in the specification. A copy of these references is being submitted herewith.
- 4) References are additional prior art known to Applicant. A copy of these references is being submitted herewith.